

REMARKS

In the above-identified Office Action, the Examiner has indicated that claim 6 must be cancelled as a result of it being a non-elected invention. Applicant has canceled claim 6 and accordingly this matter is considered obviated.

The Examiner has rejected claims 8 and 9 as failing to comply with the written description requirement. Applicants have canceled claim 8, and amended claim 9 so that claim 9 now is in agreement with the disclosure of the specification.

Claims 7 to 9 have been rejected as being indefinite. Applicants have canceled claim 7 and 8 thereby obviating the rejection of these claims. Claim 9 has been amended so that it is now clear that the thickness in the recited ratio is of the giant single crystal grain size to the grain size of an average grain of the metallic film.

Claims 1-5 have been rejected as being anticipated by Summerfelt. Applicants have amended claim 1 so that it now recites over Summerfelt. The Examiner has stated that Summerfelt teaches a method comprising depositing a metallic film on a substrate. The Applicants note that Summerfelt does not teach depositing the film on a substrate but rather deposits his metallic film on a barrier layer. As Summerfelt stated, Col. 5, lines 37-43, his invention is that of forming a single grain of the oxygen stable material over the barrier layer. As a result, Summerfelt teaches away from depositing the metallic film directly on the substrate. Further, Summerfelt teaches the deposition of a layer of platinum grain sizes which are not sufficiently large enough to have a grain size with a ratio of the metallic film thickness to an average grain size of the metallic film of more than 50 to 1 as recited in the claims. Summerfelt's grain sizes are discussed in Col. 6, lines 20-25 and 42-48. As a result, Summerfelt cannot be said to teach the same method as stated by the Examiner, as Summerfelt's method does not result in the same single-crystal grain size.

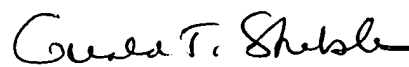
The Examiner has stated that Applicants' argument that Summerfelt does not teach deposition of his films directly on the substrate, and has used a dictionary definition of the word "substrate" to indicate that Summerfelt's teachings do not preclude his additional layers. However, the Examiner must follow the teachings of the reference in its application. Summerfelt teaches that what he terms his substrate is reference No. 30 in the drawings. Further, Summerfeld, in column 2, lines 14-15, specifically states that one or more additional layers are required to provide the electrical connection between the HDC material and the substrate. Thus, Summerfelt specifically teaches away from the subject invention. Further, Summerfeld specifically distinguishes his substrate from "additional layers" and the HDC layer (column 3, lines 8-19).

As a result, Applicant believes that Summerfeld teaches away from growing a metallic film directly on the substrate and that the claims, as amended, are patentable thereover.

Applicant hereby requests reconsideration and re-examination thereof.

With the above amendments and the remarks, this application is considered ready for allowance, and Applicants earnestly solicit an early notice of same. If the Examiner believes that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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